

Persons making submissions by e-mail should use the following subject line: "United States—Morocco Free Trade Agreement" followed by (as appropriate) "Notice of Intent to Testify," "Testimony," or "Written Comments." Documents should be submitted as either WordPerfect, MSWord, or text (.TXT) files. Supporting documentation submitted as spreadsheets are acceptable as Quattro Pro or Excel. For any document containing business confidential information submitted electronically, the file name of the business confidential version should begin with the characters "BC-", and the file name of the public version should begin with the characters "P-". The "P-" or "BC-" should be followed by the name of the submitter. Persons who make submissions by e-mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. To the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Written comments, notice of testimony, and testimony will be placed in a file open to public inspection pursuant to 15 CFR 2003.5, except business confidential information exempt from public inspection in accordance with 15 CFR 2003.6. Business confidential information submitted in accordance with 15 CFR 2003.6 must be clearly marked "BUSINESS CONFIDENTIAL" at the top of each page, including any cover letter or cover page, and must be accompanied by a nonconfidential summary of the confidential information. All public documents and nonconfidential summaries shall be available for public inspection in the USTR Reading Room. The USTR Reading Room is open to the public, by appointment only, from 10 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday. An appointment to review the file must be scheduled at least 48 hours in advance and may be made by calling (202) 395-6186.

General information concerning the Office of the United States Trade Representative may be obtained by accessing its Internet Web site (<http://www.ustr.gov>).

**Carmen Suro-Bredie,**

*Chairman, Trade Policy Staff Committee.*

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BILLING CODE 3190-01-P

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG 2002-13482]

#### Response Boat Replacement Project; Programmatic Environmental Assessment

**AGENCY:** U.S. Coast Guard, DOT.

**ACTION:** Notice of intent and request for public comments.

**SUMMARY:** The U.S. Coast Guard announces its intent to prepare a draft Programmatic Environmental Assessment (PEA) for the replacement of response boats. The PEA will assess the decision to acquire, homeport, and operate approximately 880 new response boats (approximately 180 Response Boat—Medium (RB-M) and approximately 700 Response Boat—Small (RB-S) to add to or replace existing Coast Guard boat capability at 43 Groups/Activities, 187 multi-mission stations, and 26 Marine Safety Offices that operate Coast Guard boats. The Coast Guard seeks public and agency input on the scope of the PEA. Specifically, the Coast Guard requests input on any environmental concerns that the public may have related to existing response boats, the proposal to replace these assets, sources of relevant data or information, and any suggested analysis methods for inclusion in the PEA.

**DATES:** Comments and related material must reach the Docket on or before November 25, 2002.

**ADDRESSES:** Comments may be submitted in several ways. To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG-2002-13482), U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001.

(2) By delivery to Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366-9329.

(3) By fax to the Docket Management Facility at (202) 493-2251.

(4) Electronically through the Web site for the Docket Management System at <http://dms.dot.gov>.

In choosing from these means, please give due regard to the continuing difficulties and delays associated with delivery of mail through the U.S. Postal Service to federal facilities.

The Docket Management Facility maintains the public docket for this notice. Comments will become part of this docket and will be available for inspection or copying in Room PL-401, located on the Plaza Level of the Nassif Building at the above address between 9 a.m. and 5 p.m., Monday through Friday, except for federal holidays. You may also view this docket, including this notice and comments, on the Internet at <http://dms.dog.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about the project, you may contact CAPT James Maes, Commandant (G-OCS-2) at (202) 267-1085 or [jmaes@comdt.uscg.mil](mailto:jmaes@comdt.uscg.mil). For questions on viewing, or submitting materials to the docket, contact Dorothy Beard, Chief, Dockets, DOT, at (202) 366-9329.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We encourage you to submit comments and related materials on this notice. Persons submitting comments should include their names and addresses, this notice reference number (USCG-2002-13482), and the reasons for each comment. You may submit your comments and materials by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address given under **ADDRESSES**. If you choose to submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, and suitable for copying and electronic filing. If you submit them by mail and would like to know if they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and materials received during the comment period. (For additional information about this notice or the PEA, contact Ms. Kebby Kelley at (202) 267-6034 or [Kkelley@comdt.uscg.mil](mailto:Kkelley@comdt.uscg.mil).)

##### Background Information

Domestic port safety and security has long been a core Coast Guard mission. However, in the wake of the terrorist attacks committed on September 11, 2001, emerging threats to the U.S. homeland have prompted an increased Coast Guard focus on protecting domestic ports and the U.S. Maritime Transportation System from terrorist threats.

As part of the U.S. response to these threats, the Coast Guard is undertaking a PEA for the decision to acquire, homeport and operate approximately 880 new response boats (approximately 180 Response Boat—Medium (RB-M)

and 700 Response Boat—Small (RB–S) to add to or replace existing USCG boat capability at 43 Groups/Activities, 187 multi-mission stations, and 26 Marine Safety Offices that operate Coast Guard boats. They will be located in multiple locations along the east and west coasts, the Gulf of Mexico, the Great Lakes, Puerto Rico, U.S. Virgin Islands, Alaska, Hawaii and Guam. The PEA will discuss in general that additional personnel as well as additional boat allowances may be needed at currently unknown locations sometime in the future. However, because the numbers of personnel and boats and the time frame for these site-specific actions is currently unknown, they will not be discussed in detail in this PEA. Any unforeseen new boat allowances and additional personnel needed at specific locations will be addressed in site-specific follow on National Environmental Protection Act (NEPA) documentation as necessary. Furthermore, changes to infrastructure are frequently a response to homeporting decisions. The PEA will discuss, in general, the possibility of infrastructure changes resulting from this acquisition. However, detailed analysis of any necessary site-specific infrastructure changes will be discussed in follow on NEPA documentation as necessary.

The Coast Guard's current fleet of 41-foot utility boats is aging and technologically obsolete. In addition, the current fleet of small utility boats is an assorted mix of various makes and models that have been acquired with more attention to the immediate mission requirement rather than the long-term supportability of the vessel or training considerations. Few of the existing fleet of boats meet emerging requirements for homeland security, such as higher intercept speeds and endurance. As a result, the current fleet of Coast Guard boat assets lacks the technology, full mission capability, and standardized training and maintenance necessary for efficient and effective mission performance.

#### Proposed Action

In accordance with the National Environmental Policy Act (NEPA) of 1969 (Section 102(2)(c), as implemented by the Council on Environmental Quality (CEQ) regulations (40 CFR parts 1500–1508), Department of Transportation (DOT) Order 5610.1C (Procedures for Considering Environmental Impacts), and USCG Policy (NEPA: Implementing Procedures and Policy for Considering Environmental Impacts, (COMDTINST (Commandant's Instruction)

M16475.1D), the Coast Guard intends to prepare a PEA on the Response Boat Replacement Project. The purpose of this PEA is to develop a high-level approach and direction for implementing this program.

NEPA requires federal agencies to consider all significant aspects of environmental impacts that may result from a proposed action, to inform the public of potential impacts and alternatives, and to facilitate public involvement in the assessment process. The core of our impact assessment process is our Environmental Assessment, or EA. The EA must include, among other topics, discussions of the purpose and need for the proposed action, a description of alternatives, a description of the affected environment, and an evaluation of the environmental impacts of the proposed action and alternatives. Once an EA is completed, and there are no significant impacts found, the lead agency prepares either a finding of no significant impact (FONSI) or a mitigated FONSI. A mitigated FONSI is one in which, although the preferred alternative will have some significant impacts to the environment, the FONSI and EA analysis include mitigation, into the preferred alternative, to reduce such impacts to the point where they are no longer significant.

When preparing a PEA, the agency may evaluate the program based on common geographic locations, similarities of impacts, or states of development. Because no site-specific homeporting decisions—allocated assets to Coast Guard facilities—will be made during this stage of the project, the PEA is expected to facilitate and expedite the preparation of subsequent project-specific NEPA documents.

The PEA will address the general environmental impacts of the Proposed Action and the No Action Alternative, while subsequent analyses will address specific implementing actions, such as homeporting of specific response boats at specific locations. Hence, as the first tier EA, the PEA will cover general issues in a broader-program analysis. Subsequent NEPA documentation will concentrate on the issues specific to the action being considered.

The environment potentially affected by the Proposed Action may be the entire marine and terrestrial coastal region of the continental U.S., Alaska, Hawaii, the Caribbean, Guam, and the Great Lakes where the Coast Guard has facilities, as well as the areas where the response boats currently conduct operations.

Because personnel levels are expected to remain 'status quo,' and only minor

infrastructure changes, if any, are expected, the PEA will not evaluate socioeconomic or environmental justice or land use changes in detail in this programmatic document. Since any major infrastructure changes would be addressed in future site-specific NEPA documents, the PEA will not evaluate land use, cultural resources, or geological resources in detail. The PEA will focus its discussion on the general aspects of the affected environment, such as air quality; water quality, terrestrial and marine vegetation and wildlife, endangered species and their habitat, wetlands, and public safety. The PEA will compare the potential environmental impacts and benefits that would result from the proposed action and the no action alternative. For the purposes of this programmatic document, the location of these assets throughout the country will be designated on a regional level.

As required by NEPA, the Coast Guard also will analyze the No Action Alternative as a baseline for comparing the impacts of the proposed project. For the purposes of this document, the No Action Alternative is defined as the Coast Guard keeping the current fleet of 41-foot utility boats and small utility non-standard boats and replacing them on a one-for-one basis as they deteriorate or become obsolete. The 41-foot utility boats are aging and technologically obsolete and as they age, will increasingly not be able to meet homeland security requirements (high speed intercept and endurance). Also, as these boats continue to age, they will require more 'down-time' for maintenance and repairs. The current fleet of small utility non-standard boats is an assorted mix of makes and models that were required for immediate mission requirements. Since they are 'non-standard' boats, maintenance, repairs, and personnel training vary from one type of model to another. This situation results in higher maintenance and repair costs, and additional training for personnel for each make and model. As any boat becomes too outdated to fulfill its mission, it would be replaced on a one-for-one basis. This would further complicate maintenance and repair costs and personnel training and result in continuing inefficiencies. The Coast Guard encourages public participation in the PEA process. The scoping period will start with publication of this notice in the **Federal Register**. Multiple methods for providing comments will be available, including mail, Internet and fax.

Public meetings will only be held if there is sufficient interest shown. Because this is a programmatic

document, meetings, if held, will be at a district or national level. If public hearings are held, the time and place of the hearings will be announced in the **Federal Register**. You may request a public hearing by writing to the address under **ADDRESSES**.

Following the scoping process, the Coast Guard will prepare a draft PEA. A Notice of Availability will be published in the **Federal Register** when the draft PEA is available. Public notices will be mailed or emailed to those who have requested a copy of the Draft PEA. This period will provide the public with an opportunity to review the document and to offer appropriate comments.

Comments received during the draft PEA review period will be available in the public docket and made available in the Final PEA. A Notice of Availability of the Final PEA and FONSI will be published in the **Federal Register**.

Dated: October 3, 2002.

**C.D. Wurster,**

*Rear Admiral, U.S. Coast Guard, Assistant Commandant for Acquisition.*

[FR Doc. 02-25792 Filed 10-9-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-12528; Notice 2]

#### Uniroyal Goodrich Tire Manufacturing, Grant of Application for Decision That Noncompliance is Inconsequential to Motor Vehicle Safety

Uniroyal Goodrich Tire Manufacturing (Uniroyal) has determined that approximately 3,023 P235/70R16 BFGoodrich Radial Long Trail tires do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Uniroyal has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Notice of receipt of the application was published, with a 30-day comment period, on June 25, 2002, in the **Federal Register** (67 FR 42846). NHTSA received no comment on this application.

During the period of the 8th through the 10th and the 12th through the 14th weeks of 2002, the Ardmore, Oklahoma plant of Uniroyal Goodrich Tire Manufacturing produced and cured a number of tires with erroneous marking.

FMVSS No. 109 (S4.3(d)) requires that each tire shall have permanently molded the generic name of each cord material used in the plies (both sidewall and tread area) of the tire. Also, S4.3(e) requires that each tire shall have permanently molded into or onto both sidewalls the actual number of plies in the sidewall, and the actual number of plies in the tread area if different.

The noncompliance with S4.3(d) and (e) relates to the mold. The tires were marked "Tread Plies: 2 Polyester + 2 Steel + 1 Nylon," instead of the correct marking "Tread Plies: 2 Polyester + 2 Steel."

Uniroyal states that of the total 3,023 tires produced, 1,460 have been isolated and will be brought into compliance or scrapped. Uniroyal does not believe that this marking error will impact motor vehicle safety because the tires meet all applicable Federal Motor Vehicle Safety performance standards, conform to the original specifications, and the noncompliance is one solely of labeling.

The Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) required, among other things, that the agency initiate rulemaking to improve tire label information. In response, the agency published an Advance Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** on December 1, 2000 (65 FR 75222). The agency received more than 20 comments on the tire labeling information required by 49 CFR Sections 571.109 and 119, Part 567, Part 574, and Part 575. With regard to the tire construction labeling requirements of FMVSS 109, S4.3(d) and (e), most commenters indicated that the information was of little or no safety value to consumers. However, according to the comments, when tires are processed for retreading or repairing, it is important for the retreader or repair technician to understand the make-up of the tires and the types of plies. This enables them to select the proper repair materials or procedures for retreading or repairing the tires. A steel cord radial tire can experience a circumferential or "zipper" rupture in the upper sidewall when it is operated underinflated or overloaded. If information regarding the number of plies and cord material is removed from the sidewall, technicians cannot determine if the tire has a steel cord sidewall ply. As a result, many light truck tires will be inflated outside a restraining device or safety cage where they represent a substantial threat to the technician. This information is critical when determining if the tire is a candidate for a zipper rupture. In this case, since the steel cord construction is

properly identified on the sidewall, the technician will have sufficient notice.

In addition, the agency conducted a series of focus groups, as required by the TREAD Act, to examine consumer perceptions and understanding of tire labeling. Few of the focus group participants had knowledge of tire labeling beyond the tire brand name, tire size, and tire pressure.

Based on the information obtained from comments to the ANPRM and the consumer focus groups, we have concluded that it is likely that few consumers have been influenced by the tire construction information (number of plies and cord material in the sidewall and tread plies) provided on the tire label when deciding to buy a motor vehicle or tire.

The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is the effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. This labeling noncompliance has no effect on the performance of tires of 2 Polyester and 2 Steel Ply construction.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance is inconsequential to motor vehicle safety. Accordingly, its application is granted and the applicant is exempted from providing the notification of the noncompliance as required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

(49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: October 4, 2002.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA 2002-11270, Notice No. 02-8]

#### Safety Advisory: Unauthorized Stamping of DOT specification Compressed Gas Cylinders

**AGENCY:** Research and Special Programs Administration.

**ACTION:** Safety advisory notice.

**SUMMARY:** This is to notify the public that RSPA has documented the unauthorized stamping of indentations in the side walls of high-pressure